



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Paper No. 8

Philips Intellectual Property & Standards  
P.O. Box 3001  
Briarcliff Manor, NY 10510

**COPY MAILED**

**DEC 19 2003**

**OFFICE OF PETITIONS**

**ON PETITION**

In re Application of  
Vincent Ruol; et. al.  
Application No. 09/995,458  
Filed: November 27, 2001  
Attorney Docket No. FR000126

This is a decision on the petition under 37 CFR 1.137(b), filed December 8, 2003, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Application (Notice) mailed December 14, 2001. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned after midnight February 14, 2002.

In response to the Notice to File Missing Parts of Application, petitioner submitted with the instant petition \$1,330 for the petition to revive fee, an executed Oath/Declaration, and a \$130 surcharge for the late filing of the Oath/Declaration. As authorized in the instant petition, these fees have been charged to Deposit account No. 14-1270.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition slightly varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the statement required by 37 CFR 1.137(b)(3), and petitioner must notify the Office if this is **not** a correct interpretation of the statement.

Since the requirements for a grantable petition have been met, the petition is **GRANTED**.

The application file is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this decision should be directed to Andrea Smith at (703) 308-6711.

Andrea Smith  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy